

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/073,944	TSAI ET AL.	
	Examiner	Art Unit	
	Gautam R. Patel	2655	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 14 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>2-14-02 &amp; 1-3-03</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material   | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

### ALLOWANCE

1. The following is an Examiner's Statement of Reasons for Allowance:

Claims 1-17 are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose a calibration device for calibrating linear velocity and track pitch for an optical disc drive which has a bit-clock generator a calculator for calculating linear velocity and track pitch which includes "a data amount counting unit counting the pulses of bit-clock signal for each motor frequency generator pulse to generate a data amount and calculating linear velocity and track pitch according to data amount AND motor frequency generator pulse. Also bit-clock signal having a frequency higher than that of a reproduced signal". It is noted that the closest prior art, Van Den Enden (US patent 6,690,640) shows a remarkably similar apparatus which also shows a bit-clock generator fig. 2, unit 30], a frequency divider unit 35 [similar to claim 2 of the application]. Also rotation number based on inputted linear velocity and track pitch are well known as shown by Tagiri US patent 5,780,982. However Van Den Enden and Tagiri fails to disclose bit-clock being supplied to a counter for generating a data amount and a calculator for calculating linear velocity and track pitch according to both the data amount and motor frequency generator pulse. Similarly the above combination or other prior art of record fails to disclose calculating track pitch according to linear velocity, value of second data amount and track jumping equation and step of determining the type of optical recording medium on which these steps are performed.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Other prior art cited***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Van Den Enden (US. Patent 6,690,640) "System for storing ...".
- b. Tagiri (US. Patent 5,780,982) "Method of an apparatus for controlling rotation number of motor".
- c. Honda et al. (US. Patent 6,266,318) "CLV-type recordable optical disk ..".
- d. Aoyagi et al. (US. Patent 4,805,050) "Disk player information ...".
- e. Okabe et al. (US. Patent 6,018,506) "Disc reproducing apparatus ..".

***Contact information***


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam R. Patel whose telephone number is (703) 308-7940. The examiner can normally be reached on Monday through Thursday from 7:30 to 6.

The appropriate fax number for the organization (Group 2650) where this application or proceeding is assigned is (703) 872-9314.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To can be reached on (703) 305-4827.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-4700 or the group Customer Service section whose telephone number is (703) 306-0377.

Gautam R. Patel  
Primary Examiner  
Group Art Unit 2655

  
**GAUTAM R. PATEL**  
**PRIMARY EXAMINER**

September 21, 2004